

## (Majority Report.)

Committee Room,  
Austin, Texas, Feb. 9, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 178, A bill to be entitled "An Act to amend Article 5214 of the Revised Civil Statutes of 1911, of the State of Texas, relating to juries in the district court and providing that nine members of a jury in civil cases in district court may return a verdict upon each of said nine members signing such verdict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

FAIRCHILD, Vice Chairman.

## (Minority Report.)

Committee Room,  
Austin, Texas, Feb. 9, 1925.

Hon. Barry Miller, President of the Senate

Sir: We, a minority of your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 178, A bill to be entitled "An Act to amend Article 5214 of the Revised Civil Statutes of 1911, of the State of Texas, relating to juries in the district court and providing that nine members of a jury in civil cases in district court may return a verdict upon each of said nine members signing such verdict, and declaring an emergency."

Have had the same under consideration and beg leave to differ with the majority of the committee, and report the bill back to the Senate with the recommendation that it do pass.

MOORE of Cooke.  
BLEDSON.

## TWENTY-THIRD DAY.

Senate Chamber,  
Austin, Texas,

Wednesday, February 11, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Bowers.
Berkeley.	Davis.
Bledsoe.	Fairchild.

Floyd.	Real.
Hardin of Erath.	Reid.
Hardin of Kaufman.	Russek.
Holbrook.	Smith.
Lewis.	Strong.
Miller.	Stuart.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Murphy.	Wirtz.
Parnell.	Witt.
Parr.	Wood.
Pollard.	Woodward.
Price.	

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

See appendix for committee reports.

## Bills and Resolutions.

By Senator Wood, by request:

S. B. No. 271, A bill to be entitled "An Act to establish a State Board of Embalmers and Undertakers; to provide a system of examinations for embalmers' licenses and undertakers' licenses; to provide for the registration and licensing of embalmers and undertakers to practice their profession or business in the State of Texas; to provide for the better protection of life and health and the prevention for the spread of infectious and contagious diseases; to provide regulations for the revocation of embalmers' licenses and undertakers' licenses by the State Board of Embalmers and Undertakers; defining who are embalmers and undertakers; defining violations of this Act and fixing penalties therefor; repealing all laws and parts of laws in conflict herewith; fixing a time when same shall take effect, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Holbrook:

S. B. No. 272, A bill to be entitled "An Act amending Section 4 of Chapter 29 of the General Laws of the Second Called Session of the Thirty-eighth Legislature so as to exempt from the inheritance tax therein provided bequests and devices passing to public charities, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Holbrook:

S. B. No. 273, A bill to be entitled "An Act creating the Tavenner Independent School District in Fort Bend

County, Texas; defining its boundaries; providing for a board of trustees in said independent district and conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees thereof; providing for the election of trustees; for the raising of revenues; issuing bonds, building and maintaining of schoolhouses, maintaining public free school; declaring valid the maintenance tax heretofore voted and bonds issued by said district, providing for the collection of the present maintenance tax levy; vesting the title to all moneys and property of Tavenor Common School District No. 29 in the Tavenor Independent School District; providing for the assessment and collection of taxes in said district and creating an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Holbrook, by request:

S. B. No. 274, A bill to be entitled "An Act to appropriate the sum of one hundred thousand dollars (\$100,000.00) to pay in full Mrs. Kate Chambers Sturgis (Nee Kate Chambers) Mrs. Stella J. MacGregor (Nee Stella J. Chambers), the only surviving heirs at law of General T. J. Chambers, deceased, for 5,004 acres of land owned by General T. J. Chambers, which land was condemned by the Republic of Texas for the purpose of establishing a seat of government, and upon which the city of Austin now stands, and upon a part of which the State capitol is built, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Bledsoe, by request:

S. B. No. 275, A bill to be entitled "An Act to amend Title 113, Chapter 1, Revised Statutes of 1911, by adding thereto Article 6394½, providing that in constructing, remodeling, or improving public buildings, where the amount involved exceeds five hundred dollars, to be done by competitive bidding and contract, authorizing injunction proceedings, and declaring an emergency."

Read first time and referred to Committee on Public Buildings and Grounds.

By Senator Wirtz:

S. B. No. 276, A bill to be entitled "An Act to amend Article 1195, Title

17 of the Revised Civil Statutes of the State of Texas, as amended by Chapter 112, Section 1, printed Acts of the Regular Session of the Thirty-third Legislature, 1913, providing for male persons under the age of seventeen at the time of the commission of a felony to be prosecuted as juvenile delinquents; committed to State Industrial School for boys upon indeterminate sentence; time of detention; proof of age; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Wirtz:

S. B. No. 277, A bill to be entitled "An Act amending Chapter 127 of the General Laws of the Regular Session of the Thirty-sixth Legislature, relating to highway officers, so as to require the wearing of uniforms and badges, and requiring such officers to patrol the public highways in the performance of their duties, fixing and providing for the payment of salaries of such officers, and further providing that no fees shall be charged by any officer for arrests made under the laws of the State of Texas regulating the highways and the operation of motor vehicles thereon, and providing for cooperation between the State Highway Department and such officers for the protection of the highways, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Davis:

S. B. No. 278, A bill to be entitled "An Act authorizing the issuance of State of Texas Refunding Bonds in the amount of seven hundred fifty thousand (\$750,000) dollars, dated February 1, 1925, due February 1, 1927, bearing five (5%) per cent interest payable semi-annually to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923, due February 1, 1925, and prescribing the duties of various State officials in reference thereto, and making an appropriation to pay the principal and interest thereof and to pay expenses thereof, repealing the appro-

priation made to support the criminal issue of bonds, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Floyd:

S. B. No. 279, A bill to be entitled "An Act to prevent the stealing and disposal of motor vehicles; to provide certificate of title to owners of motor cars; to provide water-proof container and carrier for said certificate of title; repealing all laws in conflict herewith; providing penalties for the violation of the provisions of this Act."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Fairchild:

S. B. No. 280, A bill to be entitled "An Act to amend Article 6177 of Title 104 of the Revised Statutes of 1911, fixing the compensation and expenses and place of residence of the Prison Commission, designating the headquarters of the prison system and providing for the establishment of offices and residences at such headquarters, and declaring an emergency."

Read first time and referred to Committee on Penitentiaries.

By Senator Miller:

S. B. No. 281, A bill to be entitled "An Act to amend Section 30, Chapter 33, of the Acts of the First Called Session of the Thirty-third Legislature of the State of Texas, relating to the incorporation and regulation of building and loan associations, so as to prescribe the amount of fees that shall be paid into the State Treasury by foreign building and loan associations, requiring such associations to make reports, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senators Moore of Cooke and Wirtz:

S. B. No. 282, A bill to be entitled "An Act regulating the making of rates of premiums by fire insurance companies and companies writing workmen's compensation; providing that before the issuing of any policies by such companies they shall submit their rates of premiums to the Commissioner of Insurance and that said rates shall not take effect until approved by him; providing

that said Commissioner may approve a system of schedule and experience or merit rating in workmen's compensation policies; requiring each company to uniformly apply the same rates to the same classifications of risks but authorizing the approval of different competitive rates for different companies and the same classifications, having due regard to the adequacy of the rates and the solvency of such company and authorizing the said Commissioner to require all material facts under oath; material to determine these facts; authorizing the said Commissioner to prescribe uniform policies of insurance, having regard to class and kind and nature of the contract; prescribing the period for which such rates and policy forms shall remain in force and the conditions under which they may be changed; providing certain conditions and limitations on fire insurance contracts or policies prohibiting a co-insurance clause except in certain risks; requiring the State Insurance Commissioner to deliver all books, records, data, property or other thing in its possession or control relating to insurance rates, policy forms or other matters of insurance, to the Commissioner of Insurance; abolishing the State Fire Insurance Commissioner, State Insurance Commission and expressly repealing Chapter 18 of the General Laws of the First Called Session of the Thirty-first Legislature, approved April 19, 1909, and Chapter 8 of the General Laws of the Fourth Called Session of the Thirty-first Legislature approved September 6, 1910, and Chapter 106 of the General Laws of the Regular Session of the Thirty-third Legislature, approved April 2, 1913, and all laws and parts of laws in conflict herewith; prescribing penalties for the violation of any of the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Witt:

S. B. No. 283, A bill to be entitled "An Act to increase and provide for the salary of the Superintendent of Public Instruction of Limestone County, Texas, providing for office expenses, traveling expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Witt:

S. B. No. 284, A bill to be entitled "An Act to vest in the University of Texas the title to the property near the intersection of Nineteenth Street and East Avenue in the City of Austin, Texas, consisting of Outlots Nos. Sixty-four (64) and Seventy-one (71) of Division "E" of said City of Austin, Travis County, Texas, and being the property formerly occupied by the State Blind Asylum, including all improvements, furnishings and fixtures thereon situated; and repealing all laws and parts of laws in conflict herewith."

Read first time and referred to Committee on Educational Affairs.

By Senator Witt:

S. B. No. 285, A bill to be entitled "An Act to create a more efficient road system for McLennan County, Texas, making county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their expenses and compensation as road commissioners, and defining the powers and duties of such county commissioners, providing for the working of county convicts on the public roads of said county; providing for officers, fees and rewards and penalties for said convicts, and rewards for the capture of escaped convicts; providing for the employment of a county road superintendent of said county, fixing the salary of said road superintendent, defining his duties as such road superintendent; providing for the employment of road keepers in said county and the defining of their duties; providing for eminent domain in the opening, widening, laying out, and straightening of public highways, and in securing material for the construction or maintenance of public highways in McLennan County, repealing all laws requiring road or street duty, fixing penalties for the violation of this Act, repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Smith:

S. B. No. 286, A bill to be entitled "An Act to require railroad companies that heretofore have constructed, or that hereafter may construct, railroads through or into any town or city in this State, to construct and form a physical track in

connection with any other railroad that heretofore has been, or that hereafter may be, constructed through or into such town or city when ordered to do so by the Railroad Commission of the State of Texas; authorizing the Railroad Commission to order such connection and to determine the manner of such connection and the proportion of the cost thereof to be paid by each railroad company; prescribing a penalty for violation of such orders made by the Railroad Commission, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

### S. C. R. No. 21.

By Senator Parnell:

Be it Resolved by the Legislature of the State of Texas, That, whereas the Legislature is empowered to divide the State of Texas into supreme judicial districts, and are impliedly if not expressly directed to make such division in accordance with the requirements of the population and business of the State; and

Whereas, the last apportionment with reference to said supreme judicial districts was made by the Thirty-fourth Legislature in 1915; and

Whereas, the last apportionment years there has been in certain sections of this State a very large increase in business and population making said apportionment unequal, whereby it has become necessary for the Supreme Court at the beginning of each year to transfer large numbers of causes from certain courts to others, entailing expense and inconvenience to litigants and their counsel and the people whom said apportionment was designed to serve;

Therefore be it Resolved by the Legislature of the State of Texas, that the President of the Senate and the Speaker of the House of Representatives be authorized and directed each to appoint a committee of seven, three from the Senate and four from the House, who shall, after conference and deliberation together, report back to their respective Houses a bill redistricting and making a suitable apportionment of this State into supreme judicial districts convenient to the present population and business of the various sections of this State.

The resolution was read and Senator Wirtz moved that it be referred to the Committee on Judicial Districts, but the motion was lost.

The resolution was then adopted.

#### S. C. R. No. 22.

By Senators Holbrook and Murphy:

Whereas the Senate of the United States has recently passed a bill making an appropriation to cover losses sustained by numerous farmers in Texas growing out of the Pink Boll Worm Non-Cotton Zones established by the Federal Government in this State in the year 1918, and

Whereas, the appropriation so made is in such terms that the payments are to be sent directly to each farmer sustaining such a loss, and

Whereas, some misinformation has been conveyed to certain members of the lower house in the United States Congress where the said appropriation bill is now pending, and the impression has been created that the moneys so appropriated by the Senate bill should be paid to the State of Texas for the purpose of reimbursing the State for appropriations heretofore made by the State of Texas to cover the said losses sustained by said farmers in 1918, and

Whereas, the State of Texas is making no claim whatever, nor is it contending for any claim before the Federal Government for any loss growing out of the establishment of Pink Boll Worm Non-Cotton Zones in the year 1918, and

Whereas, it is the sense of the Senate of Texas, the House concurring, that these moneys should be paid to the individual farmers who sustained the losses as provided in the appropriation bill passed by the United States Senate,

Now therefore be it Resolved, that the Senate of Texas, the House concurring, go on record as approving the appropriation bill passed by the Senate of the United States in its terms and effects, and that the Secretary of the Senate and the Clerk of the House of Representatives of Texas send a notice to this effect to the Hon. Morris Sheppard, United States Senator from Texas, Washington, D. C., Hon. J. J. Mansfield, Representative in Congress from Texas, Washington, D. C., Hon. J. H. Box, Representative from Texas, Washington, D. C., and Elmer Thomas, Representative in Congress, Washington, D. C.

The resolution was read and adopted.

On motion of Senator Bledsoe S. B. No. 178 was ordered printed on minority report.

Senator Floyd moved that S. B. No. 279 be recalled from the Committee on Criminal Jurisprudence and referred to Committee on State Highways and Motor Traffic.

The motion was adopted.

#### House Bill No. 108.

The Chair laid before the Senate, on third reading,

H. B. No. 108, A bill to be entitled "An Act validating Consolidated Common School District No. 110 of Palo Pinto County, Texas, etc.

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent.

Stuart.

#### House Bill No. 120.

The Chair laid before the Senate, on third reading,

H. B. No. 120, A bill to be entitled "An Act to create the Big Wells Independent School District in Dimmit County, Texas; providing a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for a board of trustees to serve until the time for the next election of school trustees as provided by General Laws, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent.

Stuart.

#### House Bill No. 168.

The Chair laid before the Senate, on third reading,

H. B. No. 168, A bill to be entitled "An Act to extend the corporate limits of the city of Kingsville so as to include therein certain land adjacent thereto upon which is being constructed the South Texas Teachers' College, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent.

Stuart.

#### House Bill No. 131.

The Chair laid before the Senate, on third reading,

H. B. No. 131, an independent school district bill for Bailey County. (The bill had been read third time and was on the table, subject to call.)

The bill was passed finally, by the following vote:

Yeas—30.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent.

Stuart.

#### House Bill No. 2.

The Chair laid before the Senate, on second reading,

H. B. No. 2, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and Weights and Measures Department; conferring all authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor, Commissioner of Agriculture and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Banking and Insurance Commissioner, relative to warehouses, upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature, conferring powers and authority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapters 116 and 126 of the General Laws, Regular Session of the Thirty-sixth Legislature, and such powers and duties as are conferred upon the Commissioner

of Markets and Warehouses by Chapter 22, Acts of the Regular Session of the Thirty-seventh Legislature, and Chapter 38, Acts of the Second Called Session of the Thirty-eighth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture; authorizing said commissioner to rearrange salaries and eliminate duplicating offices or positions, and declaring an emergency."

There being a favorable majority committee report, with committee amendments, and an adverse minority committee report, Senator Wood moved to substitute the minority (adverse) committee report for the majority (favorable) committee report.

Senator Pollard moved to table the motion by Senator Wood, which motion to table was adopted.

The majority committee report was then adopted.

Senator Holbrook offered the following amendment:

Amend the caption to H. B. No. 2, so as to hereafter read as follows:

#### A BILL

##### To Be Entitled

An Act, abolishing the Markets and Warehouse Department and the office of Commissioner of Markets and Warehouses, the Game, Fish and Oyster Department and the Commissioner thereof, the Livestock Sanitary Commission and the commissioner thereof; the State Reclamation Department and the State Reclamation Engineer, and the Board of Water Engineers and the members thereof. Transferring the functions, power, etc., of the said board to the Commissioner of Agriculture vesting in the Commissioner of Agriculture the power, authority, liabilities, etc., to administer all laws and parts of laws heretofore administered by said commission or board. Transferring all properties, furniture, fixtures and equipments heretofore and now in possession of the said commissioners and boards to the possession of the Commissioner of Agriculture vesting in the said Commissioner of Agriculture all authority heretofore vested in above said commissioners, engineers and board. Requiring the Board of Control to fur-

nish room and office space for Commissioner of Agriculture, and declaring an emergency.

The amendment was read and Senator Bailey made the point of order that the amendment was not germane to the bill.

The Chair sustained the point of order.

Senator Bailey moved that the bill be re-committed to the Committee on State Affairs.

The motion to re-commit was lost.

Senator Wood moved to reconsider the vote by which the motion to re-commit the bill was lost.

Senator Miller moved to table the motion to reconsider, which motion to table was adopted.

The bill was then passed to a third reading.

#### House Bill No. 130.

The Chair laid before the Senate, on second reading,

H. B. No. 130, A bill to be entitled "An Act to amend Section 1, Chapter 77, General Laws of the Thirty-eighth Legislature, Regular Session, providing for the omission of Houston County, and declaring an emergency."

The bill had been read second time at a previous session and was on the table, subject to call.

Senator Pollard offered the following amendment, which was read and adopted:

Amend H. B. No. 130, by adding after the word "Houston" and before the word "counties" in the caption and adding the word "wood."

Amend H. B. No. 130, by striking out the word "wood" in line 20, and adding the word "wood" after the word Houston in line 27.

The bill was then passed to a third reading.

#### House Bill No. 20.

The Chair laid before the Senate, on second reading,

H. B. No. 20, A bill to be entitled "An Act to amend Article 2078 of the Revised Civil Statutes of 1911, to provide for appeals and writs of error from orders granting motion for new trials, and declaring an emergency."

Senator Ward offered the following two amendments, severally, which were read and adopted:

1. Amend the caption of H. B. No. 20, by striking out the words "and writs of error" in line 18, page 1.

2. Amend H. B. No. 20, by striking out the words "or writ of error" in line 23, page 1.

The bill was read second time and passed to a third reading, by the following vote:

Yeas—18.

Bailey.	Pollard.
Bowers.	Price.
Fairchild.	Real.
Floyd.	Russek.
Holbrook.	Smith.
Lewis.	Strong.
Moore of Cooke.	Stuart.
Murphy.	Triplett.
Parr.	Ward.

Nays—12.

Berkeley.	Parnell.
Bledsoe.	Reid.
Davis.	Wirtz.
Hardin of Erath.	Witt.
Hardin of Kaufman.	Wood.
Moore of Hunt.	Woodward.

Absent.

Miller.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, Feb. 11, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 218, A bill to be entitled "An Act repealing Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by Chapter 4 of the General Laws of the Second Called Session of the Thirty-fifth Legislature, as amended by Chapter 64 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 27 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended by Chapter 38 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 10 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and an Act to embody in one Act the substance of the provisions of said repealed Statutes,

with substantially the following eliminations and changes, viz: (1) Abolishing the system of compulsory tick eradication and eradication zones, as provided for in said repealed Statutes. (2) Providing for the placing under quarantine of all portions of Texas that are at present infested with the fever-carrying tick. (3) Providing for compulsory tick eradication work, at the expense of the State and the several counties as provided for in this Act, such work to commence and be initiated in all tick-infested counties and portions of counties bounded on the east by the Brazos River, from the mouth of said river to the northwest corner of Robertson County, and all counties north and west of the following lines: Commencing at the northwest corner of Robertson County, on said Brazos River; thence in an easterly direction with the north lines of Robertson and Leon Counties, to the northeast corner of Leon County, in the west line of Anderson County, to where the same intersects Leon County, in the west line of Anderson County; thence in a northerly direction, following the west line of Anderson County, to the northwest corner of said county and southeast line between said counties of Anderson and Henderson to the northeast corner of Anderson County and the southeast corner of Henderson County; thence in a northerly direction, following the west line of Cherokee County, to the northwest corner of said county, same being the southwest corner of Smith County; thence in an easterly direction, following the north line of Cherokee County to the northeast corner of same, being the southeast corner of said Smith County in a northeast corner of same, being the southeast corner of said Smith County, in a northerly direction to the northwest corner of same, said point being the southwest corner of Gregg County; thence in an easterly direction, following the north line of Rusk County; to where the same intersects the south line of Harrison County; thence with the south line of Harrison County and the north line of Panola County to the southeast corner of said Harrison County and the northeast corner of Panola County, on the line of the State of Louisiana; and providing for the prosecution of said compulsory tick eradication of the last above mentioned line are freed of the



**fever-carrying tick and are released** from quarantine by the Live Stock Sanitary Commission of the State of Texas. (4) Prohibiting the owners of live stock in quarantine areas from shipping, driving, or permitting such stock to go, without legally issued permits therefor, into or along the side of any area that is free of fever-carrying ticks or in which systematic tick eradication is being carried on, and prescribing penalties for a violation of said requirement. 5. Prohibiting the owners, care takers or persons in charge of any cattle infested with the fever-carrying tick from shipping, driving, drifting or permitting said cattle to go into any other county or portion of county within this State that is free of ticks or that may have been released from quarantine by the Live Stock Sanitary Commission of the State of Texas, and providing penalties therefor."

Respectfully submitted,

C. L. PHINNEY,  
Chief Clerk, House of Representatives.

#### House Bills on First Reading.

The following House Bill was laid before the Senate, read first time and referred to appropriate committee:

H. B. No. 218, referred to Committee on Stock and Stock Raising.

#### Recess.

On motion of Senator Holbrook, the Senate at 12 m. recessed until 2 o'clock today.

#### After Recess.

The Senate was called to order by Lieutenant Governor Miller.

#### House Bill No. 23.

The Chair laid before the Senate, on second reading,

H. B. No. 23, A bill to be entitled "An Act regulating the lights and lighting and operation of motor vehicles, tractors, trailers, semi-trailers, motorcycles and bicycles in this State; prescribing the lights for such vehicles between the hours of half-hour after sunset and half-hour before sunrise; enacting the necessary penal provisions as to lights for such vehicles and headlight equipment for such vehicles; providing for tests and approval of head-lighting devices and equipment; prescribing

penalties for the violation of the provisions of this Act, and declaring an emergency."

The bill was read second time, and Senator Bailey offered the following amendment:

Amend H. B. No. 23 and caption thereof by adding after the words "lights and lighting" wherever they occur in the bill and caption, the words "and brakes" and make the bill and caption conform to such amendment.

Senator Wirtz made the point of order that the amendment was not germane to the bill.

The Chair sustained the point of order.

Senator Wirtz offered the following amendments, severally, which were read and adopted:

1. Amend H. B. No. 23, Section 5, page 6, line 8, by changing the word "application" to "applicant."

2. Amend H. B. No. 23, page 6, line 17, by striking out the word "to" and inserting in lieu thereof the word "into."

3. Amend H. B. No. 23, page 6, line 32, by striking out the word "parbolic" and inserting in lieu thereof the word "parabolic."

4. Amend H. B. No. 23, page 8, by adding after the word "act" in line 5 the word "up."

5. Amend H. B. No. 23, page 8, line 8, by striking out the comma after the word "center" the first time it occurs in said line.

6. Amend H. B. No. 23, page 9, line 8, by striking out the word "these" and inserting in lieu thereof the word "there."

7. Amend H. B. No. 23, page 9, line 20, by striking out "(a)" and inserting in lieu thereof "8 (a)."

8. Amend H. B. No. 23, page 10, line 17, by striking out the word "effect" and inserting in lieu thereof the word "affect."

9. Amend H. B. No. 23, page 10, line 25, by striking out the word "of" and inserting in lieu thereof the word "in."

10. Amend H. B. No. 23, page 10, line 26, by substituting after the word "that" the word "on."

11. Amend H. B. No. 23, page 13, line 27, by striking out the word "requiring" and substituting in lieu thereof the word "requesting."

12. Amend H. B. No. 23, page 13, line 31, by striking out the word "testing" and inserting in lieu thereof the word "test."

13. Amend H. B. No. 23, page 15, line 17, by substituting between the comma after the word "tractor" and the word "motorcycle" the word "or."

14. Amend H. B. No. 23, Section 25, line 6, page 17, by substituting a comma for the period after the word "arrest" and changing the following word to "the."

15. Amend H. B. No. 23, Section 8 (a), line 15, page 8, by striking out the word "seprical" and inserting in lieu thereof the word "spherical."

16. Amend H. B. No. 23, Section 8 (a), line 21, page 8, by striking out the word "plans" and inserting the word "plane."

17. Amend H. B. No. 23, Section 1, Subsection (e), line 18, page 2, by striking out the word "rum" and inserting the word "run."

18. Amend H. B. No. 25, page 12, line 22, by inserting after the word "certificate" the following, "of test and adjustment."

19. Amend H. B. No. 23, page 14, line 23, by striking out the word "headlight" and inserting in lieu thereof the word "headlamp."

20. Amend H. B. No. 23 by striking out all of Subsection (a) of Section 1, and inserting the following: "Motor vehicle shall include all vehicles propelled otherwise than by muscular power, except motorcycles and vehicles that run exclusively upon tracks or rails."

21. Amend H. B. No. 23, pages 4 and 5, by striking out all of Subsection (d.)

22. Amend H. B. No. 23, Section 2 (c), page 4, line 19, by adding after the word "bicycle" the following, "or a reflex mirror."

Senator Wirtz offered the following amendment, which was read and adopted:

Amend H. B. No. 23, page 6, line 18, by adding a new sentence, as follows: "Moneys in the highway text fund shall be spent under the direction of the State Highway Commission, and may be spent only to defray the expenses of testing by the testing agency herein provided for."

Senator Wirtz offered the following amendment, which was read and adopted:

Amend H. B. No. 23, Section 13, by striking out all of the second paragraph beginning with the word "any," in line 24, page 11, and inserting the following: "Should any person stamp upon or attach to or cause to be stamped upon, or attached to any such

device or equipment the words: 'Approved by the Texas State Highway Commission,' or any words meaning that such device has been approved by the Texas State Highway Commission when such device or equipment has not been approved by the State Highway Commission, or should any person knowingly sell or offer for sale in this State any device or equipment so marked which has not been approved by the State Highway Commission, such person shall be guilty of a misdemeanor and upon conviction be confined to the county jail for not less than one year, and not more than two years, or by a fine of not less than \$100.00 and not more than \$1000.00, or by both such fine and imprisonment; and should any corporation cause or knowingly permit such offense to be committed, the offending corporation shall forfeit to the State of Texas as a penalty the sum of one thousand dollars, and the Attorney General shall sue or cause such corporation to be sued in the district court of Travis county for such penalty."

Senator Wirtz offered the following amendment, which was read and adopted:

Amend H. B. No. 23, page 17, line 12, by striking out the words "making an Act a felony," and inserting in lieu thereof the words "setting forth a specific penalty."

Amend H. B. No. 23, by striking out all above the enacting clause, and inserting in lieu thereof the following:

#### A BILL

#### To Be Entitled

An Act regulating the lights and lighting and operation of motor vehicles, tractors, motorcycles and bicycles in this State; prescribing the lights for such vehicles between the hours of half-hour after sunset and half-hour before sunrise; providing for tests and approval of head-lighting devices and equipment; prescribing specifications for the approval of head-lighting devices; designating an official testing agency for the State of Texas, regulating the use of spotlights; providing for the establishment of county test stations; prescribing penalties for the violation of the provisions of this Act, and declaring an emergency.

The bill, having been read second time, was passed to a third reading.

**House Bill No. 47.**

The Chair laid before the Senate, on second reading,

H. B. No. 47, A bill to be entitled "An Act amending Article 7542 and 7569 of Title 126, Chapter 12, Revised Civil Statutes of the State of Texas of 1911, relating to the time property shall be valued for taxation purposes; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

The bill was read second time and was laid on the table, subject to call.

**House Bill No. 157.**

The Chair laid before the Senate, on second reading,

H. B. No. 157, A bill to be entitled "An Act to repeal Chapter 95, Special Laws, Thirty-eighth Legislature, entitled 'An Act to provide an efficient system of road maintenance in Upshur County,' and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

**House Bill No. 159.**

The Chair laid before the Senate, on second reading,

H. B. No. 159, A bill to be entitled "An Act adding to and making a part of the Birome Independent School District of Hill County, Texas, certain lands and territory contiguous thereto; conferring upon the board of trustees of the said Birome District the authority and jurisdiction over such lands and territory and the inhabitants thereof as are prescribed in Chapter 22, Special Laws of Texas, passed by the Thirty-third Legislature, Regular Session, creating the Birome Independent District, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

**House Bill No. 165.**

The Chair laid before the Senate, on second reading,

H. B. No. 165, A bill to be entitled "An Act creating and incorporating Dixie Independent School District in Lynn County, Texas, out of territory now comprising Common School District No. 18, of Lynn County, as heretofore created by the county board of

school trustees of said county; defining boundaries thereof; providing for a board of trustees, their election, terms of office, qualification, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Dixie Independent School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 18 of Lynn County; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the General Laws of Texas in all matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this Act shall not invalidate any remaining provisions heretofore, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

**House Bill No. 181.**

The Chair laid before the Senate, on second reading,

H. B. No. 181, A bill to be entitled "An Act to amend Section 2, Chapter 99 of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, entitled an Act to change the boundaries of the Wichita Falls Independent School District in Wichita County, Texas, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

**House Bill No. 196.**

The Chair laid before the Senate, on second reading,

H. B. No. 196, A bill to be entitled "An Act to amend House Bill No. 170, Chapter 22 of the Local and

Special Laws passed by the Thirty-eighth Legislature, wherein the Higgins Independent School District was created, containing certain land and premises situated in Lipscomb County, Texas; providing that the trustees of the district continue in office and that the trustees be seven in number; that the maintenance tax and bonds hereafter voted are hereby validated and shall remain in full force and effect; conferring upon said district and its officers all right, power, privilege and duties now conferred and imposed by the General Laws of this State upon independent school districts, and declaring an emergency."

The committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

#### House Bill No. 209.

The Chair laid before the Senate, on second reading,

H. B. No. 209, A bill to be entitled "An Act to create the Letts Common School District No. 10 in Hall County, Texas, including therein territory included in the present Bridle Bits Common School District and Wolf Flat Common School District in Hall County, Texas; providing board of trustees therefor; vesting said common school district board of trustees with all the rights, powers, privileges and duties conferred upon common school districts organized under the General Laws of Texas; providing for a board of trustees for said district to serve until the time for the next election of school trustees in common school districts as provided by the General Law; authorizing the said Letts Common School District to hold an election to determine whether or not the said district shall assume and make provision for the payment of the outstanding bonded indebtedness of the territory incorporated herein, and declaring an emergency."

The Committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

#### House Bill No. 214.

The Chair laid before the Senate, on second reading,

H. B. No. 214, A bill to be entitled "An Act creating and incorporating Center Independent School District No. 5, in Hockley County Texas, etc."

The Committee report, that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

#### House Bill No. 235.

The Chair laid before the Senate, on second reading,

H. B. No. 235, A bill to be entitled "An Act creating and incorporating Claueene Independent School District in Hockley County Texas."

The bill was read and laid on the table, subject to call.

#### Executive Session.

The Chair here announced that the hour, 3 o'clock p. m., which time the Senate was to go into Executive Session, had arrived and accordingly ordered the chamber cleared of all those not entitled to remain.

#### In the Senate.

The following confirmations of nominations by the Governor were made in executive session, as reported to the Journal Clerk of the Secretary of the Senate:

State Highway Commission:

Hon. Joe Burkett, Hon. John H. Bickett.

State Board of Health:

Dr. R. W. Noble, Dr. M. F. Bledsoe, Dr. Phil Russell, Dr. E. L. Rose, Dr. E. L. Laurence, Dr. A. H. Braden.

State Reclamation Engineer:

B. F. Williams.

State Board of Veterinary Examiners:

Dr. Ben F. Green, Dr. M. A. Gleason, Dr. D. F. Kelly, Dr. W. R. Sanderson, Dr. T. O. Scott, Dr. R. G. Flowers, Dr. R. W. Rutherford.

Commission of Appeals:

H. B. Short.

Board of Regents, State Teachers College:

Hon. A. B. Martin, Hon. Henry Paulus.

State Board of Public Accountancy:

J. J. Gannon, V. E. Buron, Loyd Smith, C. M. Grider, Frank G. Rodgers.

Board of Regents, University of Texas:

Hon. Edward Howard, Hon. Mart H. Royston, Hon. H. J. L. Stark, Hon. Sam Neatherly.

Board of Directors, Texas Technological College:

Hon. Mose Newman, Hon. Clifford Jones, Hon. H. T. Kimbro, Mrs. Frank N. Drane.

State Board of Pharmacy:

M. E. Dooley, W. A. Klecka, William Harrison, A. H. Seeley, Erwin M. Joseph.

#### Simple Resolution No. 36.

By Senators Ward, Wood and Bailey:

Whereas, on this, the 11th day of February, 1925, Hon. William Cureton, father of Chief Justice C. M. Cureton, departed this life in the city of Austin; therefore be it

Resolved, That when the Senate adjourns today it do so out of respect to the family of the said William Cureton, deceased.

The resolution was read and unanimously adopted by a rising vote.

#### Bill Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 7.

#### Adjournment.

On motion of Senator Wood the Senate, at 6:10 o'clock p. m. adjourned until 10 o'clock tomorrow morning.

### APPENDIX.

#### Committee Reports.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

H. B. No. 218, A bill to be entitled "An Act repealing Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by Chapter 4 of the General Laws of the Second Called Session of the Thirty-fifth Legislature, as amended by Chapter 44 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chap-

ter 27 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended by Chapter 38 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 10 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and an Act to embody in one Act the substance of the provisions of said repealed statutes, with substantially the following elimination and changes, viz, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, for the reason that it is the same as S. B. No. 134, which is printed.

PARR, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 19, A bill to be entitled "An Act reorganizing the Thirtieth Judicial District by amending Subdivision 30, Article 30, of the Revised Civil Statutes of 1911, as amended, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 270, A bill to be entitled "An Act, amending Acts of the Thirty-eighth Legislature, Second Called Session, Chapter 8, and providing for the reorganization of the Seventy-second Judicial District of Texas, naming the counties constituting the same, and creating and organizing the One Hundred and Sixth Judicial District of Texas, and naming the counties therein; fixing the times and terms of the district courts in the several counties of such districts, and providing for the appointment of a district judge, and a district

attorney for the One Hundred and Sixth Judicial District hereby created; providing that process issued, bonds and recognizances made, and grand and petit jurors drawn before this Act takes effect, shall be valid for and returnable to their several terms as herein set forth; fixing the time of taking effect of this Act, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,  
Austin, Texas, Feb. 11, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 238, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Lee County, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,  
Austin, Texas, Feb. 11, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 7, A joint resolution "Proposing an amendment to the Constitution of the State of Texas by amending Section 33 and Section 40 of Article 16 of the Constitution of Texas so as to permit officers of the National Guard, the National Reserve Corps of the United States, and enlisted men of the National Guard Reserve, and the Organized Reserve of the United States to hold public office in Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, Feb. 11, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 9, A joint resolution "Relating to the amending of Article 16, Section 58, of the Constitution of the State of Texas, abolishing the Board of Prison Commissioners; providing for the supervision and management of the prison system, under such laws as may be provided for by the Legislature."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, Feb. 11, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Constitutional Amendments to whom was referred

S. J. R. No. 4, A joint resolution "Amending sections of the Constitution of the State of Texas, as follows: Section 1 of Article 8, relating to uniform taxation; poll, occupation, and income tax, and exempting income of natural persons from taxation."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, Feb. 11, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: I, a minority of your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 4, A joint resolution "Amending sections of the Constitution of the State of Texas as follows: Section 1 of Article 8, relating to uniform taxation; poll, occupation, and income tax, and exempting income of natural persons from taxation."

Have had the same under consideration and I beg leave to differ with the majority and respectfully recommend to the Senate that the same do not pass.

HARDIN of Kaufman.

Committee Room,

Austin, Texas, Feb. 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 189, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial districts for the purpose of constituting and organizing courts of civil appeals therein; creating the Eleventh Supreme Judicial District of Texas, with Eastland as the site of said court; providing for the appointment and qualification of the judges of said Eleventh Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Eleventh Supreme Judicial District of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,

Austin, Texas, Feb. 9, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 266, A bill to be entitled "An Act to amend Section 2 of Chapter 91 of the Acts of the Regular Session of the Thirty-fifth Legislature, relating to the organization and time of holding district courts of the Forty-ninth Judicial District of Texas and to amend Section 2 of Chapter 55 of the Acts of the Regular Session of the Thirty-eighth Legislature, relating to the organization and time of holding district courts in the Seventy-ninth Judicial District of Texas so as to take Jim Hogg County, Texas, out of said Seventy-ninth Judicial District and place it in said Forty-ninth Judicial District, and to provide for rearranging for the time and terms for holding court in said districts and repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 52, A bill to be entitled "An Act to amend Article 151, Title 10, of the Revised Statutes of the State of Texas, relating to the writ for the apprehension of persons who are lunatics or non compos mentis and their detention; prohibiting the incarceration of such persons in county jails in counties where city or county hospitals exist; providing that they shall be detained in such county or city hospitals, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BERKELEY, Chairman.

Committee Room,

Austin, Texas, Feb. 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 207, A bill to be entitled "An Act to authorize the commissioners' court of the various counties of the State of Texas to employ one or more nurses for the purpose of assisting in the promotion of public health and visiting and inspecting the pupils of the public schools and to appropriate public funds in payment thereof."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BERKELEY, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 223, A bill to be entitled "An Act repealing Chapter 14 of the laws of the State of Texas passed by

the Thirty-sixth Legislature at its Third Called Session, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that S. C. S. B., attached hereto, do pass in lieu thereof.

FAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 94 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 150 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 74 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 183 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 252 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

#### TWENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas.

Thursday, February 12, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was

called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent—Excused.

Miller.

Witt.

Smith.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

#### Appointment of Page.

The Chair, Lieutenant Governor Miller, authorized the appointment of David McCoy as page for the Senate.

#### Excused.

Senators Miller, Witt and Smith were, on motion of Senator Woodward, excused until Monday on account of committee work with the Penitentiary Investigation Committee.

The Chair had read a telegram from Hon. Pat O'Keef of Dallas congratulating the Senate on the passage of S. B. No. 252, the amnesty bill.

#### President Declines Invitation.

The Chair had read a letter from the acting Secretary to the President of the United States advising that the President would not be able to accept the invitation to attend the meeting of the West Texas Chamber of Commerce at Mineral Wells, and conveying the appreciation of the President for the invitation.

#### Bills and Resolutions.

By Senator Berkeley, by request:

S. B. No. 287, A bill to be entitled "An Act to amend Chapter 3 of Title 118 of the Revised Civil Statutes of